

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

DOCKET NO. 3:07CR79-W

UNITED STATES OF AMERICA, )  
 )  
 v. ) **FINAL ORDER AND JUDGMENT**  
 ) **CONFIRMING FORFEITURE**  
(1) PATRICK SCHWENKE )  
 )

On July 2, 2007, this Court entered a Preliminary Order of Forfeiture pursuant to 21 U.S.C. §853 and Fed. R. Crim. P. 32(d)(2), based upon the Defendant's plea of guilty to Counts One and Four in the Bill of Indictment. In that Count One, the Defendant was charged possession with intent to distribute marijuana in violation of 21 U.S.C. § 841(a)(1). In Count Four, the Defendant was charged with, a violation of 18 U.S.C. § 924(c)

On February 15, 2008, February 22, 2008 and February 29, 2008, the United States published in the Mecklenburg Times, a newspaper of general circulation, notice of this forfeiture and of the intent of the government to dispose of the forfeited property in accordance with the law, and further notifying all third parties of their right to petition the Court within thirty days for a hearing to adjudicate the validity of any alleged legal interest in the property. It appears from the record that no such petitions have been filed. Based on the Affidavit submitted with the government's Motion, the Court finds, in accordance with Rule 32.2(c)(2), that the Defendant had an interest in the property that is forfeitable under the applicable statute.

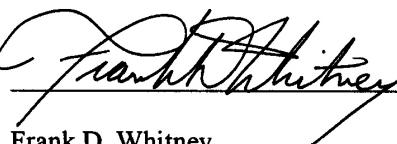
It is therefore ORDERED:

In accordance with Rule 32.2(c)(2), the Preliminary Order of Forfeiture is confirmed as final. All right, title, and interest in the following property, whether real, personal, or mixed, has therefore

been forfeited to the United States for disposition according to law:

- a. Wachovia Account number (last four digits) 4277
- b. Clearview Federal Credit Union Account Number (last five digits) 6223-9
- c. Clearview Federal Credit Union Account Number (last six digits) 1394-S9
- d. Clearview Federal Credit Union Account Number (last five digits) 6223-0
- e. Suntrust Account Number (last four digits) 7673
- f. Suntrust Account Number (last four digits) 5304
- g. Carolina Central Account Number (last four digits) 7673
- h. Bank of America Account Number (last four digits) 2987
- i. Bank of America Account Number (last four digits) 0937
- j. U.S. Airways Federal Credit Union Account Number (last four digits) 6406
- k. A Mossberg 12-gauge shotgun recovered from Patrick Schwenke's residence
- l. \$83,000.00 in cash recovered from Patrick Schwenke's residence
- m. A watch recovered from Patrick Schwenke's residence
- n. 2007 Toyota 4Runner, VIN No.: JTEBU14RX70114928
- o. 2006 Lincoln Mark LT, VIN No.: 5LTPW165X6FJ04200.

Signed: November 12, 2008



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Frank D. Whitney  
United States District Judge

